

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

DANA-FARBER CANCER INSTITUTE, INC.
a/k/a THE JIMMY FUND,

Plaintiff

v.

BOC GROUP, INC. d/b/a BOC GASES,

Defendant/Third-Party Plaintiff

v.

TAYLOR-WHARTON, HARSCO
CORPORATION, GAS & FLUID CONTROL
GROUP AND PACER DIGITAL SYSTEMS
INC.,

Third-Party Defendants

2005 NOV -1 P 12:32

U.S. DISTRICT COURT
DISTRICT OF MASS.

CASE NO.: 04-12612 RCL

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MOTION FOR ADMISSION OF COUNSEL PRO HAC VICE

COMES NOW John J. Weinholtz of the firm of Nixon Peabody LLP in Buffalo, New York, pursuant to Local Rule 83.1(A)(2) of this Court, and moves that he be admitted *pro hac vice*, by comity, to handle the captioned matter before the Court, and in support of this motion would show as follows:

1. Mr. Weinholtz is a member in good standing of the bar of the State of New York to which he was admitted in 1988.
2. The undersigned counsel, A. Damien Puller, is a member in good standing of the Massachusetts Bar and is admitted to practice in this Court.
3. Mr. Weinholtz certifies that he has read and is familiar with the Uniform Local Rules of the United States District Court for the District of Massachusetts.

WHEREFORE, PREMISES CONSIDERED, John J. Weinholtz, joined by A. Damien Puller, respectfully moves that he be admitted *pro hac vice*, by comity, to handle the captioned matter before this Court.

Respectfully submitted,


By: 

A. Damien Puller (MA BBO No. 633746)
NIXON PEABODY LLP
100 Summer Street
Boston, MA 02110
(617) 345-1000

November 1, 2005

CERTIFICATE OF SERVICE

I do hereby certify that I have forwarded via first class United States Mail, postage prepaid, a true and correct copy of the above and foregoing document to all counsel of record this 1st day of November, 2005.


A. Damien Puller

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AFFIDAVIT OF JOHN J. WEINHOLTZ

I, John J. Weinholz, certify that the following information is true and correct:

1. I, John J. Weinholz, am a resident of the State of New York. I am a Partner of Nixon Peabody LLP, 40 Fountain Plaza, Suite 500, Buffalo, NY 14202. My office telephone is (716)853-8100 and my office facsimile number is (716) 853-8109. My residence address is 139 Deer Ridge Drive, Getzville, NY 14068.

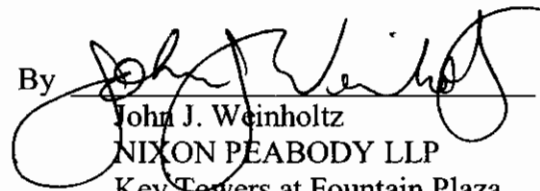
2. I make this certification in support of a motion that I be permitted to appear in the above civil action.

3. I am admitted to practice before the New York State Supreme Court (1988) and before the United States District Court for the Western (1988) and Northern (1991) Districts of New York.

4. I am currently an active member in good standing of the New York State Supreme Court.
5. There are no disciplinary proceedings against me in any jurisdiction.
6. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts.

~~October~~
November 31, 2005

By



John J. Weinholtz
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40 Fountain Plaza, Suite 500,
Buffalo, New York 14202
Telephone: (716) 853-8100